

REMARKS

Applicants have carefully studied the outstanding Office Action. The present amendment is intended to place the application in condition for allowance and is believed to overcome all of the objections and rejections made by the Examiner. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants have amended claims **38** and **48** to more properly claim the present invention. No new matter has been introduced. Claims **38 – 57** are presented for examination.

In paragraphs 3 - 15 of the Office Action, the Examiner has rejected claims **38 – 57** under 35 U.S.C. §103(a) as being unpatentable over Ng, U.S. Patent No. 6,640,301 ("Ng") in view of Shaikh, U.S. Patent No. 7,035,830 ("Shaikh").

Claim Rejections – 35 U.S.C. §103

The prior art of Ng was discussed in applicants' response filed on March 5, 2010.

Shaikh relates to a system for electronic filing of documents (similar somewhat to the USPTO electronic filing system, especially the example at col. 5, line 63 – col. 6, line 9). Shaikh describes electronic stamping of documents that are filed with a server computer, such as a server for a government agency, for evidence of the document's being accepted or rejected. The electronic stamp is made permanent so that it cannot be altered. (Shaikh/ col. 1, lines 37 – 48, 66 and 67; col. 2, lines 25 – 52) Specifically, at col. 1, lines 57 – 61, Shaikh recites "*Authenticity of the electronic stamp can be assured by storing the document in a form that prevents further modification and/or with access*

limited to purposes other than making any further changes to the image constituting the stored form of the document."

In distinction to the cited prior art, in the claimed invention a body of the electronic document may be modified by the document word processor, but nevertheless the control mark cannot be changed or removed.

To further clarify this distinction, applicants have amended the independent claims to include the limitation that a body of the electronic document may be changed by the document word processor. This is different than Shaikh, where the document is stored in a form, such as a PDF image or a TIFF image (Shaikh/ col. 4, lines 18 and 19; col. 6, lines 5 - 7), that prevents modification of any part of the document.

Furthermore, applicants respectfully submit that there is no motivation for combining Shaikh with Ng. Applicants respectfully submit that Ng relates to authentication of e-mail. In distinction, Shaikh relates to electronic filing of documents. It is only the result of impermissible hindsight, based on applicants' disclosure, that the Examiner has combined Shaikh with Ng.

The rejections of claims **38 - 57** in Paragraphs 3 – 15 of the Office Action will now be dealt with specifically.

As to amended independent method claim **38**, applicants respectfully submit that the limitations in claim **38** of

"embedding a control mark within an electronic document created by a document word processor, wherein a body of the document may be changed by the document word processor but the

control mark cannot be changed or removed by the document word processor", and

"monitoring transmitted network packets, for detection of network packets containing the electronic document, based on the control mark ..."

are neither shown nor suggested in Ng and Shaikh.

In rejecting claim 38 in paragraph 5 of the Office Action, the Examiner has cited Shaikh as disclosing a control mark that cannot be changed or removed by the electronic document. Applicants note that Shaikh, col. 1, lines 57 – 61, recites "*Authenticity of the electronic stamp can be assured by storing the document in a form that prevents further modification and/or with access limited to purposes other than making any further changes to the image constituting the stored form of the document.*" As such, no portion of the stored document in Shaikh may be changed. In distinction, in the claimed invention a body of the electronic document may be modified by the document word processor, but nevertheless the control mark itself cannot be changed or removed.

In rejecting claim 38 in paragraph 5 of the Office Action, the Examiner has further cited Ng as monitoring transmitted network packets. Applicants respectfully submit that Ng describes verification of received e-mail messages, but fails to disclose monitoring transmitted network packets per se. Although the Examiner has cited element 62 of FIG. 7 of Ng ("EXTRACT MSG ID"), applicants note that the preceding element 56 ("RECEIVE EMAIL MODULE") clearly refers to received e-mail messages, and not to transmitted network packets. In distinction, as described in the present specification, monitoring transmitted network packets is performed by NERP module 110 (FIG. 1), which is a traffic monitor configured, e.g., as a network proxy or an e-mail relay. Ng fails to disclose a traffic monitor per se.

Because claims **39 – 47** depend from claim **38** and include additional features, applicants respectfully submit that claims **39 – 47** are not anticipated or rendered obvious by Ng, Shaikh or a combination of Ng and Shaikh.

Accordingly claims **38 – 47** are deemed to be allowable.

As to amended independent claim **48** for a computer readable storage medium, applicants respectfully submit that the limitation in claim **48** of

"an auto-marking module for embedding a control mark within an electronic document created by a document word processor, wherein a body of the document may be changed by the document word processor but the control mark cannot be changed or removed by the document word processor", and

"a traffic monitor ... for detection of network packets containing the electronic document, based on the control mark ..."

are neither shown nor suggested in Ng and Shaikh, as explained hereinabove.

Because claims **49 – 57** depend from claim **48** and include additional features, applicants respectfully submit that claims **49 – 57** are not anticipated or rendered obvious by Ng, Shaikh or a combination of Ng and Shaikh.

Accordingly claims **48 – 57** are deemed to be allowable.

Support for Amended Claims in Original Specification

Independent method claim **38** has been amended to include the limitation that a body of the document may be changed by the document word processor but the control mark cannot be changed or removed by the document word processor. This limitation is supported in the original specification at least by page 8, lines 15 - 18.

Independent system claim **48** has been amended to include the limitation that a body of the document may be changed by the document word processor but the control mark cannot be changed or removed by the document word processor. This limitation is supported in the original specification at least by page 8, lines 15 – 18.

For the foregoing reasons, applicants respectfully submit that the applicable objections and rejections have been overcome and that the claims are in condition for allowance.

Respectfully submitted,

Dated: February 18, 2011 By:

/Dawn-Marie Bey - 44,442/
Dawn-Marie Bey
Registration No. 44,442

KING & SPALDING LLP
1700 Pennsylvania Avenue, N.W.
Suite 200
Washington, DC 20006
(202) 626-8978